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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,768	03/18/2004	Ralf Salameh	71027-012	6684

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EXAMINER

WATKINS III, WILLIAM P

ART UNIT	PAPER NUMBER
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1772

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/803,768

Applicant(s)

SALAMEH

Examiner

William P. Watkins III

Art Unit

1772

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
4a) Of the above claim(s) 1-6 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 7-12 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/18/2004.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-6, drawn to a method of joining a plastic cover to a support by molding, classified in class 264, subclass 272.1.

II. Claims 7-12, drawn to a plastic cover joined to a support, classified in class 428, subclass 139.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions Group I, claims 1-6; and Group II, claims 7-12 are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the product as claimed could be made by joining the cover article material to

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the support by adhesive instead of molding the article material onto the support.

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, since the fields of search are not co-extensive, restriction for examination purposes as indicated is proper.

4. During a telephone conversation with Mr. Robert L. Stearns on 21 June 2005 a provisional election was made with traverse to prosecute the invention of Group II, claims 7-12. Affirmation of this election must be made by applicant in replying to this Office action. Claims 1-6 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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6. Claims 7, 10 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Santella (U.S. 5,375,569).

See Figure 2A, which shows a plastic cover (element 10) molded onto a plastic flange (element 14), which in turn is joined to seal element 16. Element 20 is an "L" shaped member which extends from flange element 14 to allow better bonding of to the plastic of cover by allowing mechanical interlock of the plastic cover with the flange extension (col. 4, lines 5-20).

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 8, 9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Santella (U.S. 5,375, 569) in view of Haack et al. (U.S. 2003/0008105 A1).

Santella teaches a plastic flange joined to a sealing layer with an extension from the flange that is molded around by cover material as noted above. Santella also teaches that molded

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inserts may be made of metal for greater strength at the expense of extra weight (col. 1, lines 10-40, col. 2, lines 15-20).

Haack et al. teaches joining a molded plastic to a metal element by injection molding of the plastic through an aperture in the metal to interlock the metal and plastic (sections 0036 and 0037, and Figure 3, elements 40 and 37). The instant invention claims a metal flange joined to a plastic cover by molding resin through openings in the flange. It would have been obvious to one of ordinary skill in the art to use a metal flange member in place of the plastic flange of Santella in order to increase the strength of the flange because of the teachings of Santella. It further would have been obvious to have added holes to the joining extension of the flange of Santella to allow resin penetration and better bonding because of the teachings of Haack et al.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Frohwerk et al. '100 is equivalent to an EP reference in the IDS.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William

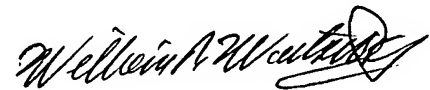
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P. Watkins III whose telephone number is 571-272-1503. The examiner works an increased flex time schedule, but can normally be reached Monday through Friday, 11:30 A.M. through 8:00 P.M. Eastern Time. The examiner returns all calls within one business day unless an extended absence is noted on his voice mail greeting.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WW/ww
December 12, 2005



**WILLIAM P. WATKINS III
PRIMARY EXAMINER**

**WILLIAM P. WATKINS III
PRIMARY EXAMINER**